

Evidentiary Document No. 5432.

SYNOPSIS OF EVIDENCE.

M A L A Y A

1. Massacre near IPOH

Prosecution Document numbered 5154, being the statement of Sepoy LUL CHAND is now produced for identification and the marked excerpts offered in evidence. This document relates that seventy five Indian soldiers when captured, were massacred by beheading and the bayonet. The witness was bayoneted himself but escaped with his life by lying under some dead bodies.

2. Murder of P/W at MUAR

Prosecution Document numbered 5241 being the Affidavit of T.C. TREVOH, is now offered for identification and the marked excerpts produced in evidence. This Affidavit states that on 3 February, 1942, six Australian soldiers, including the witness, having been captured by the Japanese, were at MUAR, in cold blood, fired upon by a bren gun. All the men were killed or died later, but the witness escaped.

3. Massacre of P/W at PARIT SULONG

Prosecution Document numbered 5043, being the Affidavit of Lt. B. C. HACKNEY, is now tendered for identification and the marked excerpts offered in evidence. This Affidavit states that on 22nd. January, 1942, the witness, who was wounded, and a large number of men from other Units, were captured by the Japanese at Parit Sulong. The witness describes their treatment as follows:-

"(1) On many occasions a Japanese indicated to a wounded man to move along with the rest, although he was incapable of any movement. Upon his failing to move, the Japanese struck him with a rifle or kicked him, or actually bayoneted him or shot him.

(2) A Japanese drove his bayonet into a man wounded in the chest and thigh and pushed him along the road and again bayoneted him several times. The witness, although wounded, was prodded with a bayonet by a Japanese. The prisoners' watches, pens, pencils and other property except clothing were taken by the Japanese. Their clothing was removed during the search. One dead soldier was propped up by the Japanese and made an object of ridicule. About 150 nude and wounded prisoners, some with gaping, dirty and blood-clotted wounds, were hit, kicked, punched and prodded with bayonets, often in the open wounds, by the Japanese. Many were knocked unconscious by blows on the head with rifle butts.

(3) Eventually the prisoners were forced into a little shed or garage. The Japanese grunted and prodded them with bayonets until most of the prisoners had scrambled into the shed. Some were knocked unconscious and others killed. The terrific yells of wounded men in pain were continuous. The shed soon became a hell-hole full of tortured, groaning and delirious wounded soldiers. There was not enough room in the shed to put down one's foot without stepping on somebody. Water was not given to the prisoners. A large number were re-wounded by the Japanese. Others were bayoneted or shot. Requests for medical attention and water were ignored. Water was held by Japanese guards just out of reach of some of the prisoners and then thrown away. A wounded Indian soldier who had been knocked down by a Japanese and rendered unconscious was, on showing signs of regaining consciousness, bayoneted and heaved into a stream. When his blood-stained face emerged above the water, the Japanese shot him.

(4) Other ranks were tied up and maltreated. Some were bayoneted. Finally, they were all herded into a group and shot with rifles and machine guns. The Japanese removed the bodies, but not the witness who feigned death. Blood was running all over his face. A wound in his back left a small pool of blood on the ground. Some Japanese came and stood over him and one pushed him with his foot to make sure he was dead. Another kicked him in several places. The Japanese then brought tins of petrol and poured it over the prostrate prisoners, other than the witness, some of whom were still conscious. They then set fire to the petrol amidst screams and yells of pain and the prisoners were burnt to death. The witness could smell the burning flesh. He lay still until the Japanese departed. Many Japanese passed him and kicked him and some pricked him with their bayonets. One actually drove a bayonet into his side between his ribs. Another took his boots from him. Later the witness was able to free himself from his bonds and met a sergeant and another soldier who smelt strongly of petrol. They had been together when the prisoners were fired upon and they fell with the first burst of firing although neither had been hit. Petrol was thrown on them but they were not burnt. The soldier who was with the sergeant died the following day."

4. P/W in MALAYA.

A) Prosecution Document numbered 5085 being the Affidavit of L.J.M. SELKINGS is now offered for identification and the marked excerpts produced in evidence. This Affidavit relates to the gross inadequacies of living conditions, food and medical stores in the Kuala Lumpur Camp during February - October, 1942. During the first three months, 166 men died of battle injuries and fever. No medical attention was provided by the Japanese.

B) Prosecution Document Numbered 5084, being the Affidavit of Capt. F. R. ADAMS is now offered for identification and the marked excerpts produced in evidence. This Affidavit refers to the conditions in Penang Gaol where the witness remained for some two months, five weeks of which was spent in solitary confinement in the condemned cell.

Men were beaten savagely for no apparent reason. Sanitary arrangements were vile and sick men refused admission to hospital.

C) Prosecution Document numbered 5024 B, the Affidavit of Maj. R. H. STEVENS, is offered for identification and the marked excerpts produced in evidence. This document states that in March, 1945, P/W were billeted in an overcrowded camp in JOHORE and that insanitary latrines caused a great deal of dysentery.

The prisoners laboured at making defence works for the Japanese and owing to the lack of precautions, several men were killed and injured by falls of earth. Hours of work were long and arduous since there was no proper air supply.

The witness was told that owing to the prisoners being engaged on security work, in the event of invasion, they would be killed.

Conditions for surgery were unfavourable at the camp and despite the existence of a large and well equipped hospital, six miles away, permission to evacuate cases there, was refused.

D) Prosecution Document numbered 5375, the Affidavit of B. G. MAPLEBACK is offered for identification and the marked excerpts offered in evidence.

This Affidavit states that the witness and three other men were taken prisoners near KULAI. They were roped together and driven some three miles at which point, two of the prisoners were ordered out of the truck and taken to a creek about 20 yards away. Here they were shot with a tommy gun in the presence of the witness. The bodies were left where they fell and the Japanese returned to the truck.

5. CIVILIANS IN MALAYA.

A) Prosecution Document numbered 5139, the sworn statement of CHEW SWAY LEOK is produced for identification and the excerpts marked therein, tendered in evidence. This statement relates that the witness and nine other Chinese were beaten with rifle butts into unconsciousness at Batu Pahat Police Station in February, 1942. On 1 March over 100 Chinese

and European civilians were put in lorries and taken in batches of thirty five into the jungle. They were machine-gunned and bayoneted. The witness waited until the Japanese had gone and then escaped.

B) Prosecution Document numbered 5141, the sworn statement of AHMAD BIN CHETEN is now offered for identification and marked excerpts produced in evidence. This document states that towards the end of 1943, while the witness was employed as a Sub-Warder in Penang Gaol, he saw a Japanese M.P. torture a Chinese woman of middle age.

"Wassio opened this woman's trousers and burnt the hair around her pelvic parts with a lighted piece of paper. Then Wassio tied a rope round her waist, and, after binding it round her wrists, attached the other end to a motor cycle. Then Wassio proceeded to drive the motor-cycle at a quicker pace than it was possible to run. The woman was pulled along the ground about ten yards and then lost consciousness."

The witness saw Chinese, Malay and Indian prisoners tortured and stated that three Chinese died after undergoing water torture.

C) Prosecution Document numbered 5142, the sworn statement of Miss YONG LEN MOI, is produced for identification and the marked excerpts thereof, offered in evidence. This document refers to the torture of the witness's grandmother who was suspended from the ceiling for an hour while heavy weights were thrown at her legs and feet. The witness further states that her grandmother was dragged along behind a motor cycle until unconscious, as described in the evidence of the preceding witness AHMAD.

The witness herself was beaten and burned in Penang Gaol where her grandmother later died as a result of her maltreatment.

D) Prosecution Document numbered 5143, the sworn statement of W. T. DAVIES and the statement of Mrs. A. C. KATHICASU, exhibited thereto, is now tendered for identification and the excerpts marked offered in evidence. This document relates that the witness was taken to IPOH Police Station in August, 1943, where she was tortured and beaten in many ways, and accused of being a spy.

At Kempeitai HQ her child was suspended from a tree with a fire blazing underneath her, whilst the witness herself was tied to a post and beaten with a stick. The child was eventually released.

At Batu Gajah gaol the witness was imprisoned for life, after having been sentenced to death. Food was inadequate, the cells were verminous and filthy. There were no bed coverings and no facilities for bathing. The witness finally lost the use of her legs but has since recovered.

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Ex 1523

No. 1

證據書類第五四三二号

證據概要

「マラヤ」

一、「ボウ」附近、虐殺

檢察側文書第五四四号、印度王人兵「マル・チャンド」陳述書ヲ茲ニ確認、タメ提出シ且記号ヲ附シタル拔萃ヲ證據トシテ提出スル。本文書百七十五名ノ「インド」人兵士が捕ヘラレテ斬首及銃劍ニヨツテ虐殺サレタルコトヲ記述シテナル。證人自身銃劍ヲ刺サレタ「デアル」ガサチノ死体ノ下ニ横ハラ死ヲ免レタノデアツク。

二、「ムア」ニ於ケル俘虜、殺害

檢察側文書第五四四号「下・じ・トレバー」陳述書ヲ茲ニ確認、タメ提出シ且記号ヲ附シタル拔萃ヲ證據トシテ提出スル。本陳述書ハ日本人ニ捕ヘラレタ證人ヲ合ム六名、濠洲兵が一九四二年二月三日「ムア」ニ於テ冷酷モ輕機關銃、銃ヲ浴セラレタコトヲ述ベテナル。證人が助カツタホカハ全員殺害サレタガ、後刻死セシク。

三、「バット・スロング」ニ於ケル俘虜虐殺

檢察側文書第五四四号「ビー・シー・バックナー」ノ口供書ハ茲ニ確認、タメ提出サレ、且記号ヲ附シタル拔萃ヲ證據トシテ提出ス。本口供書ハ負傷シタル證人及他ノ諸隊カラ來タ多數ノ者ガ一九四二年一月三日「バット・スロング」ニ於テ日本人ニ捕ヘラレタルコトヲ述ベテナル。證人ハ日本人ノ取扱ヒヲ次ノヤウニ述ベテナル。

(一) 多クノ場合ニ日本人ハ全然動クコトハ出来ナイ負傷者ヲ對シ他ノ者ト一緒ニ行動スルヤウニ命令シタ。彼ガ動ク事ガ出来ナイト日本人ハ小銃ヲ彼ヲ毆打シ蹴トベシ或ハ實際ニ銃劍ヲ突きサシタリ射殺シタ。

(二) 或日本人ハ小銃劍ヲ胸ト腰ニ負傷シテナル人ノ男ヲ突きサシ彼ヲ道路ヘ押ヤツテ又モ何處カ銃劍ヲ突きサシタ。證人ハ負傷シタ「デアル」ガ日本人ノ銃劍ヲ突き

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No. 2

サレタ。俘虜達、時計、万年筆、鉛筆、他、所持品ハ、衣類、外日本人ニ取
ラレタニツタ。俘虜達ハソノ身体検査、間、衣服ヲ脱ガサレタ。一人、死ニタ兵士
ハ、日本人達ニツ、カヒ棒ヲシテ立タセラレタ。突ヒ物ニサレタ。中ニハ口ヲ開キ泥ミ
ミレ血ガ固ミツテコビリツイテキル傷ノアル者モ幾人カ混ツタ百五十人バカリノ裸ノ
負傷シタ俘虜達ハ日本人共ニ毆ラレ、蹴ラレ、銃劍デ突キサレタ。ソノ口ヲ開イ
タ傷口ハ突キサ、レロトモ何處ヲアツタ。多クノ者ハ銃、台尻ヲ頭ヲ毆打サレテ
意識不明ニ陥ツタ。

(三) 揚句ノ果ニ俘虜達ハ軒ノ小サ小屋、モシハガラージノ中ニ追ヒ込メタ。日本
人ハ俘虜達ハ大部分ガソノ小屋ノ中ヘナダシ込メテシテ、何タカダト文句ヲ言ヒ
ナガラ銃劍デ同ヲ突ツツタ。或ル者達ハ毆ラレテ氣絶サセシ、又或ル者達ハ
殺サレタ。甚倦シテキル負傷者達ハ恐怖ノ叫聲、鳴リ續イデキタ。ソノ小
屋ハ程ナク甚痛ニ喘キ呻吟シ、或ヒハ謔言ヲ言ッテキル傷兵達ガキツリツ
ツタ地獄境ト化シタ。小屋ノ中デハ誰カヲ踏ミツケナケレバ、足ヲ下スダケノ余地ヲ
カッタ。俘虜達ハ水モ與ヘレシカッタ。多數ノ者ガ日本兵ニヨツテ再ヒ傷ツケラレタ。
他ノ者達ハ銃劍デ突キサレ、或セハ射殺サレタ。醫治療キ當面ヤ飲ミ水ヲ要求、
取り合ハレナカッタ。水ハ日本人衛兵ヨリ、俘虜達ガモウサデ手ガ届キサウ
ナ所ヲテ差出シテハ捨テラレタ。日本人ニ毆リ倒サレテ氣絶シテキタ人ハ、いふ人
傷兵ハ意識ヲ取戻ニサウナ様ヲ見セルト銃劍デ突キサシテ川ニ投ゲマレタ。
ソノ血ミレノ顔ガ水面ヘ浮ブト、日本兵ハ彼ヲ射ツタ。

(四) 他ノ隊ノ者ハ縛リ上ゲラレテ虐待サレタ。或ル者達ハ銃劍デ突キサレタ。最後
ニソノ連中ハ全部ニトメニサレテ小銃ヤ機關銃デ射殺サレタ。日本人ハ死体
ヲ片附ケタ。カシ死ニタフリヲシテ年々當證人ハ動かサレタカッタ。血ハソノ顔面
ニ流シタ。背中ノ傷カラ流シ出タ血ハ地上ニ小サナ溜ヲ造ツタ。幾人カノ日本人ガキテ
彼ノ傍ニツ、立ツテ死ニタカドワカ確カメルタミ足ヲ踏ミツケタ。他ノ者彼ノ身

体ノアツチコツチヲ蹴トバシタ。ソレカラ日本人共ハカソリン罐ヲ數個持ツテキテ、ソノ
 辺ノ倒レテチル當證人以外ノ俘虜達ノエニソノギカケタ。ソノ中ノ或ル者ハ未ダ
 意識ガアツタ。カクテ日本人ハカソリンニ火ヲツケ、阿鼻叫喚ノ内ニ俘虜達
 ヲ焼キ殺シテシマツタ。肉ノ焼ケル臭ヒガ證人ノ鼻ヲツイタ。彼ハ日本人ガ行
 ヲテシマフマデジツトシテキタ。何人モ日本人ガソノ傍ヲ通り過キ彼ヲ蹴トバ
 シタリ、或ル連中ハ銃劍ヲ突ツツイタリシタ。又ノ兵隊ハ本當ニ銃劍ヲ彼
 ノ横ツ腹ノ肋骨ノ間ヘ突キサシタ。別ノ一人ハ彼ノ編上靴ヲ取ツテ行ツタ。後
 刻證人ハ逃ケラレルヤウニナツテ、一人ノ軍曹ト別ノ兵士ニ逢ツタ。ソノ二人ハカソ
 リンノ臭ヒガブク／＼シテキタ。彼等ハ俘虜達ガ射タレタ時一緋ニキタノデア
 タノタガ最初ノ銃火ノ發シタ時ドチラ當リハシテカッタノタガ倒レタノデア
 ル。石油ハ彼等ノ上ニモカケラレタノデア
 ルガ燒ケレハシテカツタ。ソノ軍曹ト一緋ニキ
 タ兵士ハ、ソノ翌日死ニタ。

四、「マラヤ」ニ於ケル俘虜

(1) 檢察側文書第五。ハ五号ハ「L. J. W. ソーキングス」ニ供書ヲ茲ニ
 確認ノタメニ提出シ且記号ノ附シタル抜萃ハ證據トシテ提出シマス。

本口供書ハ、一九四二年二月ヨリ十月ニ至ル間ノ「クアラ、ルムプール」收容
 所ニ於ケル生活狀態、食物、醫藥療必需品等ノ甚シイ不足狀態ニ
 就テ述ベテナル。

最前ノ三ヶ月ノ間ニ、百六十六人ノ者が戦傷ト熱病ノタメニ死ニタ。

(以下次頁)

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日本人カハ何等醫療手当モ施サレナカッタ

檢察側文書第五八四号「P. R. アタムス」大尉ノ口供書ヲ茲ニ確認ノタメ提出シ且記号ノ附シタル拔萃ヲ証拠トシテ提出シマス
本口供書ハ「ベナン」監獄ニ於ケル状態ニ就テ述ベテナル、同監獄ニ
本証人ハ約ニヶ月間留置サレソノ周五週間ハ死刑囚監房ニ
於テ唯一人監禁サレテホタ、留置人達ハ何等ハツキリテ理由モ
ナレニ手酷ク殴打レタ衛生施設ハヒトイモナリ病人ハ入院スルコトヲ
許サレナカッタ

(ハ) 檢察側文書第五〇二四号「R. H. スチーベンズ」中佐ノ口供書ハ、
茲ニ確認ノタメ提出シ且記号ノ附シタル拔萃ハ証拠トシテ提出
シマス、本文書ハ一九四五年三月「ジョホール」ニ於ケル超満員ノ收容所
ニ在リテ廣ク收容サレタコトソレテ非衛生ノ便所ノタメニ数多ノ赤
痢患者ヲ発生シタコトヲ記載シテナル、收容所達ハ日本人ノタメニ
防禦施設ノ工事ノタメニ妨ガレタ、ソレテ又防手段不備ノタメ活
動ニヨリテ数人ノ者ハ死傷シタ作業時間ハ長ク適當ナ換氣装置
置置ナカッタタメ苦シイモ知ラタ

本証人ハ「收容所」機密工事ニ従事シテナルカアルカ「侵攻サレタ
場合」ソノ「收容所」ハ救サレシマフノカト云ハレマシタ

手術施設ノ状態ハ收容所ニ於テハ疎ナモノハナカッタシカン六
マイル先ニハ大キナ設備ノ整ツタ病院カアルモ拘ラズ患者ヲソコハ
移スコトハ許サレナカッタ

No. 4

(ニ) 檢察側文書第五三二五号「B. G. マルバク」ノ口供書ハ確認ノ
タメニ提出シ且記号ノ附シタル拔萃ハ証拠トシテ提出シマス

本口供書ハ証人及他三名ノ者カ「クワイ」附近ヲ捕虜トシタ

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コトヲ述ベテ、コノ四人に優テ一組ニシテ上ルヲ三ニシテ
ハリ連テ行ルソコト、傍者、中二名ハソノ上ルヲ降リヤ
クニ云ハシニヤト程先、中川ニ連テ行カラシ、此處デソノ二
ハ本証人、自前ニ於テトニ一輕機関銃ヲ射殺セシタ、此處ハ
倒ラ所ハソノ、放テカシ日本入達ハ上ルヲハ戻ツニヤタ

五、コトヲニ在テ一般民間人

(イ) 檢察側文書、第五三九号ヲ生カス、シテ、宣誓書
陳述書、確認、タタニ提出シ、且記号ヲ附シ、按テ、証
據トシ、提出ス、本陳述ハ一九四三年二月ハ、ソノ、按テ、
署ニ在テ証人及他、九名中國人が銃ヲ以テ常絶、是ハ改
打サレコトヲ述ベテ、三月一日百人ヲ越ス中國人及ソノ、
人ノ一般民間人が數名、貨物自動車ニ乗ラシ、一組三十五
人ニシテ密林中ニ連シコシタ、コノ者達ハ、機關銃ヲ射ス
タ、銃ヲ射殺セシタ、証人ハ日本入が行テ、ソノ、待テ、ソノ後
逃シタ

(ロ) 檢察側文書、第五四一号、ア、ロ、ソノ、宣誓書陳述
書ハ、識別、タタ現在提出シ、記号ヲ附シ、按テ、証據トシ、
提出セル、本書類ハ一九四三年末証人ハ、ソノ、刑務所ニ監禁
補トシテ在テ、中、日本軍兵ハ、中、中國婦人ヲ拷問ス、
目撃セル事、實ヲ述フ

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就高尾其婦人スホシヲ聞キ彼々、骨盤部分、周圍、毛ヲ既、
本紙先ニ燒キ、高尾、彼々、腰、繩ヲ卷キ、手首ニ
括リ、之ニ後、他方、端ヲ自動自轉車、結ビ、ソシテ高
尾、自動自轉車ヲ到底ニ追從ス能ハル程、車力ニテ運轉
シ始メ、其婦人、約十碼位成キ、意識不明トナレリ。

證人、中國人、一、人印度人、佐磨ガ拷問セルヲ目撃ス。
三人、中國人、水責メテ受ケタ後、死亡シタト陳述ス。

(一) 檢察側文書、第五四三號、W. T. デウス、宣誓陳述書、
識別、為提出セシ、其、記號ヲ附シ、坂辛、證據トシテ
提出セシ。本書類、時間、問天サウ吊キ、其間、重味カ
脚ニ足ニ懸シタ。證人、祖母、受ケタ拷問、聞シ述ベシ。

證人、更ニ彼々、祖母、前記證人、下ニ、證據ニ述ベラシ
后、同様、自動自轉車、終リ摺リテ、座ニ意識ヲ失
シ、陳述ス。

此、證人自身、祖母ガ虐待、結果、後日死亡シ、又、
刑務所、於テ殴打セ、燒カシタ。

No. 8

(二) 檢察側文書、第五四三號、W. T. デウス、宣誓
陳述書及、該書類ニ示サシ、A. C. カチス夫人
陳述、現在識別、為提出セシ、記號ヲ附シ

No. 7

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ル板辛、證據トシテ供セリテ居ル。本書類、證人カ、一九
四三年八月ニ「イホ」敬言察ニ連行サレ同所ニ於テ、
様々ニ方法ニテ拷問サレ改打サレ問牒トシテ責メラレ
タニ事實ヲ述ブ。

憲兵隊本部ニ於テ、彼女、子供ハ木ヨリ吊サレ、ソ
下ニ大カ燃ヤサレ、一方證人自身、柱ニ括リケル、棒
ヲ打タルヲ子供ハ最後ニ釋放サレタ。

「バト」カ、刑務所ニ於テ證人ハ死刑、宣告ヲ受
ケ、後終身禁錮ニ投じケル。食物ハ欠乏シ、監房
ハ臭氣カタク、不潔ナリ、睡眠ハ覆カタク、入
浴、設備ハ無カシ、證人ハ逐ニ脚、使用ハ不能
トナシ、雨後回復シタ。